

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-140089
	:	TRIAL NO. 13CRB-32473
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
TOMEKA HAYNES,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Defendant-appellant Tomeka Haynes appeals the trial court's judgment convicting her of domestic violence and sentencing her to 18 months of community control. We affirm.

In her two assignments of error, Haynes challenges the sufficiency and weight of the evidence underlying her conviction. When considering a sufficiency claim, we must determine, after viewing the evidence in the light most favorable to the state, whether a rational trier of fact could have found the elements of the crime proven beyond a reasonable doubt. *State v. Thompkins*, 78 Ohio St.3d 380, 386, 678 N.E.2d 541 (1997). To reverse a conviction on the manifest weight of the evidence, an appellate court must review the entire record, weigh the evidence and all reasonable inferences, consider the credibility of the witnesses, and conclude that, in resolving

the conflicts in the evidence, the trier of fact clearly lost its way and created a manifest miscarriage of justice in finding the defendant guilty. *Id.* at 387.

At trial, the victim testified that Haynes sprayed mace in his eyes and hit him with a stick. The police officer who had responded to the scene testified that the victim's eyes were red, the victim smelled of mace and the children of the victim and Haynes confirmed that Haynes sprayed the victim with mace. Although Haynes argues that she was acting in self-defense, the responding officer testified that Haynes never told her that she had been attacked by the victim and that Haynes appeared calm. Haynes contended at trial that she was in fear for her life, but the trial court did not find her testimony credible because Haynes admitted that she had invited the victim over and had asked him to stay the night.

Viewing the evidence presented at trial in a light most favorable to the state, a reasonable trier of fact could have found all of the elements of domestic violence proven beyond a reasonable doubt. *See Thompkins* at 387. Moreover, we cannot conclude that the trial court lost its way and created a manifest miscarriage of justice such that we must reverse Haynes's domestic-violence conviction and order a new trial. *Id.*

We overrule Haynes's first and second assignments of error. The judgment of the trial court is affirmed.

Further, a certified copy of this judgment entry shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

CUNNINGHAM, P.J., HILDEBRANDT and HENDON, JJ.

To the clerk:

Enter upon the journal of the court on October 29, 2014
per order of the court _____.
Presiding Judge